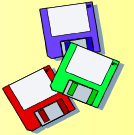




GOT SOFTWARE LICENSING CONTROLS?



Software Licensing and the County

DID YOU KNOW?

- Software piracy is the theft of software through illegal copying of genuine programs.
- One in every four copies of software on U.S. desktops is pirated.
- Software piracy can lead to stiff civil fines of up to \$150,000 per copyright infringed and/or criminal prosecutions with fines up to \$250,000 and jail time up to 5 years.
- In 2000, the Business Software Alliance (BSA) investigated more than 500 companies. In the past eight years the BSA recovered \$58 million in penalties from software pirates.
- The cost of software piracy settlements usually far outweighs the costs incurred by a company using legitimate software.



Question: At my company, we pass disks around all the time. We all assume that this must be okay since everyone is doing it.

Answer: Many employees don't realize that corporations are bound by the copyright laws, just like everyone else. Employees may face disciplinary action if they make extra copies of the company's software for use at home or on additional computer within the office. A good rule to remember is that there must be one authorized copy of a software product for every computer upon which it is run.

Most people would never consider stealing something that did not belong to them. But if you copy software without authorization you are, in fact, stealing someone else's property -- their intellectual property. ...And, you're breaking the law.

When you purchase software, you do not become the owner of the copyright. You are simply purchasing the right to use it within certain rules specified by the copyright owner. These rules are described in the license accompanying the software. It is imperative that County employees adhere to these rules. Most often, the license allows for the software to be loaded onto a single computer and for the creation of a backup copy. A few licenses allow the software to be loaded both at the office and on a home PC. But if you copy, distribute, or install the software in ways that the license prohibits, whether you're swapping disks with friends and coworkers or in any other way duplicating it for use, you are violating federal copyright law. You don't even have to be the person making the copies to be held liable under the copyright law. If you help someone else make unauthorized copies, you are still liable.



Paul Allsing

Maricopa County Policy A1604, Software Copyright and License Compliance, is designed to insure County compliance with intellectual property laws including rules and regulations relating to copyrights. The policy states that all County departments, its officers, employees, and contractors will only use properly licensed software on County computer systems and will comply with the terms of software licenses.

Maricopa County assumes no legal or financial responsibility for employee actions taken in violation of this policy. This means that the County is under no obligation to provide a legal defense to an employee that violates A1604. However, management does have a responsibility to educate employees regarding this policy and maintain proper controls to ensure that employees are made aware of and understand it.

To this end, department managers are responsible for establishing an appropriate software inventory and management process. In addition, periodic audits of departmental computer systems should be performed to ensure that only authorized and properly licensed software is used in County computer systems. The risk of using unlicensed or "bootleg" software just isn't worth it.

Do You Know Where Your Software Licenses Are?



"Many reputable businesses and organizations, small and large, learn too late that they have software management problems. By ensuring that there is a license to support each software program that is installed or in use, companies can avoid paying stiff penalties." - **Bob Kruger**, Vice President of enforcement for the Business Software Alliance